

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DR. JASMINE YOUNGE,

Plaintiff,

v.

FULTON JUDICIAL CIRCUIT
DISTRICT ATTORNEY'S
OFFICE, GEORGIA

Defendant.

Civil Action No.

1:20-cv-00684-WMR-CMS

JURY TRIAL DEMANDED

**PLAINTIFF'S REPLY IN SUPPORT OF HER MOTION TO EXCEED
PAGE LIMITATIONS ON RESPONSE TO STATEMENT OF MATERIAL
FACTS / STATEMENT OF ADDITIONAL FACTS**

Plaintiff, through undersigned counsel, files this Reply in support of her Motion to Exceed the Page Limit for her Response to Defendant's Statement of Material Facts ("RSMF") / Statement of Additional Facts ("SAF"). [Doc. 112]. In support thereof, Plaintiff states:

1. The page extension that Plaintiff sought for the combined RSMF/SAF document is necessary because of the numerous issues that must be addressed. Defendant's Motion for Summary Judgment requires Plaintiff to address three affirmative defenses before ever getting to the merits of the case: (1) the

personal staff exception, (2) the policymaking appointee exception, and (3) alleged failure to meet conditions precedent. In addition, Plaintiff must set forth the facts she contends create a genuine issue of material fact that she was subjected to pregnancy discrimination and that Defendant's justification for the termination is pretext. This requires setting forth a number of important facts that are necessary to assist the Court in reaching its decision. Despite efforts to be selective and succinct with the facts, Plaintiff could not accomplish this in five pages.

2. While Defendant argues it is only seeking "fairness and parity", the fact is that Plaintiff is trying to do more with the combined RSMF/SAF document than Defendant was with its statement of facts. This is because Plaintiff must both respond to Defendant's statement of facts and set forth her own statement of facts in the same document. [Doc. 58, p. 10, § (d)]. In this instance, performing both tasks could not be accomplished in a combined five pages.
3. Plaintiff's counsel has worked diligently to limit the number of pages in the combined RSMF/SAF document including by, where possible, cross-referencing facts that were responsive to more than one statement of fact rather than repeating the same facts over and over. *See* [Doc. 112-2, RSMF # 13, 16, 18, 21, 24-34, 38].

4. Defendant argues that Plaintiff should be required to “follow the same Case Management Order.” However, this Court specifically provided a procedure for requesting page extensions for fact documents in its Order Modifying Local Rule 56.1. [Doc. 58, p. 11, § (i)]. Plaintiff is asking for the page extension in accordance with the Court’s Order. Had Defendant requested a page extension before or at the time of filing its Statement of Material Facts in accordance with the Order, Plaintiff’s counsel would have readily consented.

WHEREFORE, for the foregoing reasons and the reasons set forth in Plaintiff’s initial Motion [Doc. 112], Plaintiff respectfully requests that this Court grant Plaintiff leave to file eleven (11) pages for her combined RSMF/SAF document.

Respectfully submitted the 15th day of June, 2022.

BARRETT & FARAHANY

s/ Matthew C. Billips
Matthew C. Billips
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed *PLAINTIFF'S REPLY IN SUPPORT OF HER MOTION TO EXCEED PAGE LIMITATIONS ON RESPONSE TO STATEMENT OF MATERIAL FACTS / STATEMENT OF ADDITIONAL FACTS* with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

Respectfully submitted the 15th day of June, 2022.

BARRETT & FARAHAANY

s/ Matthew C. Billips
Matthew C. Billips
Georgia Bar No. 057110